

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE: WORLD TRADE CENTER  
LOWER MANHATTAN DISASTER SITE LITIGATION

X 21 MC 102 (AKH)

WILFRIDO TENEMPAGUAY,

X 07 CV 05320

Plaintiff,

-against-

160 WATER ST., INC., et al.,

NOTICE OF  
ADOPTION OF  
ANSWER TO  
MASTER  
COMPLAINT

Defendants.

X  
PLEASE TAKE NOTICE THAT defendant 233 Broadway Owners, LLC, as and for its responses to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) related to the Master Complaint filed in the above-referenced action, hereby adopts its Answer to Master Complaint, dated August 1, 2007, which was filed in the matter of In re World Trade Center Lower Manhattan Disaster Site Litigation, 21 MC 102 (AKH).

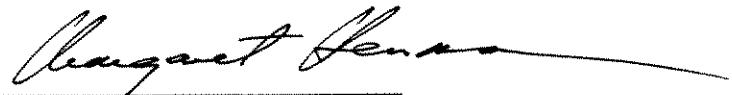
To the extent that defendant's Answer to the Master Complaint does not comprehensively address any of the specific allegations within the Check-Off Complaint in the above captioned matter, defendant denies knowledge or information sufficient to form a belief as to the truth of such specific allegations.

PLEASE TAKE FURTHER NOTICE, that defendant 233 Broadway Owners, LLC reserves the right to serve a reply to cross-claim and/or interpose a cross-claim against any and all co-defendants.

WHEREFORE, defendant 233 Broadway Owners, LLC demands judgment dismissing the above-captioned action as against it together with its costs and disbursements.

Dated: August 20, 2008  
Melville, New York

YOURS, etc.,



MARGARET HERRMANN (MH3676)  
LAWRENCE, WORDEN, RAINIS & BARD, P.C.  
Attorneys for Defendant 233 BROADWAY  
OWNERS, LLC  
425 Broad Hollow Road, Suite 120  
Melville NY 11747  
(631) 694-0033

TO: WORBY GRONER EDELMAN & NAPOLI BERN, LLP  
Attorneys for Plaintiff  
115 Broadway, 12<sup>th</sup> Fl.  
New York NY 10006  
(212) 267-3700

DEFENSE COUNSEL SERVED ELECTRONICALLY

### VERIFICATION OF MAILING

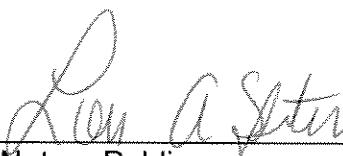
HEATHER E. ROSS, being duly sworn, deposes and says: I am over 21 years of age, not a party to the within action, and reside at Huntington, New York. On August 22, 2008, I served the annexed NOTICE OF ADOPTION OF ANSWER TO MASTER COMPLAINT upon the following named attorneys representing the following named respective parties of this action:

Hon. Alvin K. Hellerstein, U.S. District Judge  
U.S. District Court, Southern District of NY  
United States Courthouse  
500 Pearl Street, Room 1050  
New York NY 10007  
**COURTESY COPY**

that being the address so designated by said attorneys for that purpose, by depositing a true copy of same enclosed in a post paid, properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

  
\_\_\_\_\_  
HEATHER E. ROSS

Sworn to before me this  
22<sup>nd</sup> day of August, 2008

  
\_\_\_\_\_  
Notary Public

LORI A. SPITERI  
Notary Public, State of New York  
No. 4930338  
Qualified in Suffolk County  
Commission Expires June 20, 2010

**VERIFICATION OF MAILING**

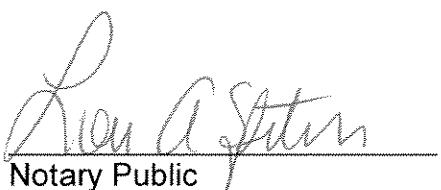
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Attorneys for Plaintiff  
115 Broadway, 12<sup>th</sup> Fl.  
New York NY 10006  
(212) 267-3700

that being the address so designated by said attorneys for that purpose, by depositing a true copy of same enclosed in a post paid, properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

  
\_\_\_\_\_  
HEATHER E. ROSS

Sworn to before me this  
22<sup>nd</sup> day of August, 2008

  
\_\_\_\_\_  
Notary Public

LORI A. SPITERI  
Notary Public, State of New York  
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Qualified in Suffolk County  
Commission Expires June 20, 2010